

CASE NO. 16-71915 [CONSOLIDATED WITH 17-70532 AND 17-70632]
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROBERT C. MUNOZ, Charging Party, v. NATIONAL LABOR RELATIONS BOARD, Respondent.	Case No. 16-71915 Board Case Nos. 32-CA-119054 32-CA-126896
TARLTON & SON, INC., Petitioner, v. NATIONAL LABOR RELATIONS BOARD, Respondent.	Case No. 17-70532 Board Case Nos. 32-CA-119054 32-CA-126896
NATIONAL LABOR RELATIONS BOARD, Petitioner, v. TARLTON & SON, INC. Respondent.	Case No. 17-70632 Board Case Nos. 32-CA-119054 32-CA-126896

**ON APPEAL FROM NATIONAL LABOR RELATIONS BOARD
CASE NO. 32-CA-119054 AND 32-CA-126896, 363 NLRB NO. 175**

**SUPPLEMENTAL OPPOSITION REGARDING MOTION TO HOLD
CASE IN ABEYANCE**

Petitioner Robert Munoz has filed his opening brief.

In considering the motion to hold this case in abeyance, this Court should note that many issues are raised in this brief that do not depend on the outcome of the three current cases in the United States Supreme Court.

As we have also noted, there is a separate issue with respect to the unlawful implementation of the mandatory arbitration procedure which, in our view, does not depend upon the outcome of the cases pending in the Supreme Court.

The motion of the National Labor Relations Board to hold in abeyance should be denied. The briefing should continue.

Dated: April 25, 2017

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
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CERTIFICATE OF SERVICE

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501.

I hereby certify that on April 25, 2017, I electronically filed the foregoing **SUPPLEMENTAL OPPOSITION REGARDING MOTION TO HOLD CASE IN ABEYANCE** with the United States Court of Appeals, Ninth Circuit, by using the Court's CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Notice of Electronic Filing by the Court's CM/ECF system.

I certify under penalty of perjury that the above is true and correct.
Executed at Alameda, California, on April 25, 2017.

/s/ Karen Kempler
Karen Kempler

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